

**TEMPORARY**

**NO. 63155**

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**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 02 1997

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed AUG 20 1991 under 56588

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The applicant City of Elko, hereby makes application for permission to change the Point of Diversion, Place of Use and Manner of Use of a Portion of water heretofore appropriated under Permit No. 56590

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1. The source of water is Underground
2. The amount of water to be changed 1.15 cfs
3. The water to be used for Industrial & Domestic
4. The water heretofore permitted for Municipal & Domestic
5. The water is to be diverted at the following point SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 9, T35N - R56E, M.D.B.&M., at a point from which the Northeast Corner of Section 8, T35 - R56E, MDB&M., bears N 46°51'39" W, 5862.60 feet.
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 4, T34N - R55E, M.D.B.&M. at a point from which the Southeast Corner of said Section 4 bears, S 73°08'34" W, 1720.52 feet.
7. Proposed place of use A portion of the SE $\frac{1}{4}$  of Section 9, T35N - R56E, M.D.B.&M..
8. Existing place of use All of Sections 25 & 36, T35N - R55E, M.D.B.&M.; Sections 30 & 31, T35N - R56E, MDM&M.; Sections 1 through 5, 8 through 17, Sections 20 through 24, all in T34N - R55E, MDB&M.; Section 6, T34N - R56E, MDB&M.
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from January 1st to December 31st of each year.
11. Description of proposed works well, pump, pipelines and storage ponds
12. Estimated cost of works \$5,000
13. Estimated time required to construct works 440 foot 12"encased well, one 20 hp pump, one 2 hp pump, one 3" totalizing meter, one 1" totalizing meter, and pipelines.
14. Estimated time required to complete the application of water to beneficial use 1 year
15. Remarks: This application is for a temporary permit. The estimated annual consumptive use will be 7,000,000 gal. This application is for water to operate an asphalt plant and gravel crushing facility to supply the aggregate for the asphalt plant. The water will also be used for dust control for the yard area and the crusher and domestic uses for restrooms etc., at the site. Please use the map that accompanied Permit No. 56590 for the existing Point of Diversion and Place of Use and the map that accompanied Permit 56885 for the proposed Point of Diversion and Place of Use.

By HIGH DESERT Engineering, Agent  
s/ Robert E. Morley  
640 Idaho Street  
Elko, Nevada 89801

Compared cl/jr cl/cms  
Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 56590 is issued subject to the terms and conditions imposed in said Permit 56590 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 7381 Certificate 1207; 9446 Certificate 2494; 10185 Certificate 2744; 14474 Certificate 4824; 14475 Certificate 4825; 14476 Certificate 4469; 14477 Certificate 4470; 15979 Certificate 5370; 23985 Certificate 9848; 24801 Certificate 7513; 26326 Certificate 9790; 29061 Certificate 8791; 36626; 37221 Certificate 11134; 43373; 43374; 44073; 48277 Certificate 13798; 49515; 49617 Certificate 13044; 51994; 51995; 52854; 54142; 56588; 56589; 56590; 59766; 61712; 61714, and 63155-T shall not exceed 18,000.0 acre-feet annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on August 24, 1998 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.15 cubic feet per second, but not to exceed 7.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

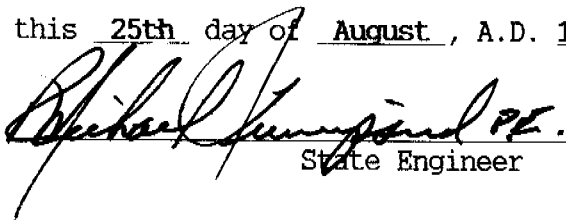
Map in support of proof of beneficial use shall be filed on or before:

**TEMPORARY**

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of August, A.D. 1997

 P.E.  
State Engineer

**EXPIRED**

DATE AUG 25 1998